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BEFORE THE ARIZONA CORPORATION COMMISSION

1999 DEC 17 P 12:51

CARL J. KUNASEK

Chairman

JIM IRVIN

Commissioner

WILLIAM A. MUNDELL

Commissioner

Arizona Corporation Commission  
AZ CORP COMMISSION  
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IN THE MATTER OF COMPETITION IN  
THE PROVISION OF ELECTRIC SERVICES  
THROUGHOUT THE STATE OF ARIZONA

**AEPCO'S REQUEST FOR  
WAIVER OF CERTAIN  
REQUIREMENTS OF R14-2-1609**

The Arizona Electric Power Cooperative, Inc. ("AEPCO") submits this request for a waiver of the AISA implementation plan filing requirement of A.A.C. R14-2-1609.E<sup>1</sup> The issues addressed in this Request for Waiver were more fully discussed at an Open Meeting concerning AISA matters on December 13, 1999.

As required by R14-2-1609.D, AEPCO and other Affected Utilities which own or operate Arizona transmission facilities have formed an AISA. AEPCO and the other utilities have also assisted and actively participated in AISA planning and its functions over the past two years. As well, they have provided most of its funding. The AISA is, however, an independent body. The Affected Utilities do not control it but hold two seats on its ten member Board of Directors.

R14-2-1609.E requires AEPCO and the other Affected Utilities to file a proposed AISA implementation plan addressing, among other things, a contingency plan for critical functionality by December 29. The AISA has not yet adopted its implementation plan, although it expects to do so and perform other functions envisioned by the Rule by June 30, 2000. As

<sup>1</sup> AEPCO does not believe the requirements of R14-2-1609.D apply to Affected Utilities but rather to the AISA itself. If the Commission interprets that subsection differently, then AEPCO requests a waiver as to those provisions of subsection E as well.

1 explained, AEPCO cannot adopt the AISA implementation plan itself and therefore cannot comply  
2 with the Rule's requirements.

3  
4 AEPCO would stress that it and the other Affected Utilities do not see these developments  
5 as an impediment to retail access. The Arizona transmission grid can "open" and operate without  
6 an AISA implementation plan. In fact, the grid is open now in compliance with FERC rules and  
7 NERC guidelines.

8 In light of the foregoing, AEPCO requests that the requirements of R14-2-1609.E pertaining  
9 to the filing of an AISA implementation plan be waived.

10 RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of December, 1999.

11  
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20 Original and ten (10) copies  
21 of the foregoing document filed  
22 this 17<sup>th</sup> day of December, 1999, with:

23 Docket Control  
24 Arizona Corporation Commission  
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